

JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Division of Law
124 Halsey Street, 5th Floor
P.O. Box 45029
Newark, New Jersey 07101
Attorney for the Board of Nursing

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF NURSING

IN THE MATTER OF THE SUSPENSION	:	
OR REVOCATION OF THE LICENSE OF	:	
	:	Administrative Action
TONYA M. WARREN, LPN	:	
License # 26NP06084400	:	FINAL ORDER
	:	OF DISCIPLINE
TO PRACTICE NURSING	:	
IN THE STATE OF NEW JERSEY	:	

This matter was opened to the New Jersey State Board of Nursing (the "Board") upon receipt of information which the Board has reviewed and upon which the following preliminary findings of fact and conclusions of law are made:

FINDINGS OF FACT

1. Tonya M. Warren ("Respondent") is a Licensed Practical Nurse in the State of New Jersey and has been a licensee at all times relevant hereto.

2. On or about May 07, 2012, Respondent completed and submitted an online biennial renewal for the period of June 01, 2012 to May 31, 2014.

3. Respondent was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by May 31, 2012," referring to the biennial renewal period of June 01, 2010 to May 31, 2012. Respondent answered "Yes" and certified that answer by submitting the online application.

4. On November 1, 2013, the Board sent a letter of inquiry requesting certain information and proof of continuing education to Respondent's address of record in Clementon, New Jersey, via regular and certified mail on or about November 01, 2013.

5. Respondent replied to the Board on or about November 15, 2013, and provided answers to the Board's questions, but did not provide proof of continuing education.

6. Upon receipt of Respondent's reply to the Board, a letter was sent alerting Respondent that she had not provided proof of continuing education, and asking Respondent to submit all documentation of completed continuing education since June 01, 2010 to Respondent's address of record in Clementon, New Jersey, via regular and certified mail on or about February 18, 2014.

7. Respondent provided certificates of completion for thirty (30) contact hours of continuing education, issued on March 03, 2014.

8. On or about May 30, 2014, Respondent completed and submitted an online biennial renewal for the period of June 01, 2014 to May 31, 2016.

9. Respondent was asked on the biennial renewal application whether Respondent would have "completed the required continuing education credits by May 31, 2014," referring to the biennial renewal period of June 01, 2012 to May 31, 2014. Respondent answered "Yes" and certified that answer by submitting the online application. Respondent also answered that she had completed the one hour course on Organ and Tissue Donation by May 31, 2014.

CONCLUSIONS OF LAW

Pursuant to N.J.A.C. 13:37-5.3(b), nurses are required to complete a minimum of thirty (30) hours of continuing education during the preceding biennial period in order to renew their licenses. Respondent submitted the following proof of completion of continuing education:

0 hours within the 6/1/10 - 5/31/12 biennial period;

30 hours within the 6/1/12 - 5/31/14 biennial period:

0 hours within the 6/1/14 - 5/31/16 current period.

Respondent failed to demonstrate timely completion of any continuing education credits within the biennial renewal period of June 01, 2010 to May 31, 2012. The Board therefore finds Respondent in violation of N.J.A.C. 13:37-5.3(b) and 13:37-5.3(f), which in turn subjects Respondent to sanctions pursuant to N.J.S.A. 45:1-21(e) and (h). Pursuant to N.J.A.C. 13:37-5.3(f), nurses are required to maintain documentation of completion of continuing education for a period of four years after completion, and shall submit such documentation to the Board upon request.

Respondent's use of dishonesty and misrepresentation during the 2012 license renewal process in falsifying her continuing education information constitutes a violation of N.J.S.A. 45:1-21(b), subjecting Respondent to sanctions.

DISCUSSION

Based on the foregoing findings and conclusions, a Provisional Order of Discipline ("POD") seeking suspension until Respondent demonstrates completion of her continuing education requirements, imposing a civil penalty in the amount of two-hundred and fifty dollars (\$250), and imposing a reprimand was entered on December 2, 2014. The POD was subject to

finalization by the Board at 5:00 p.m. on the 30th business day following entry unless Respondent requested a modification or dismissal of the stated Findings of Fact or Conclusions of Law by submitting a written request for modification or dismissal setting forth in writing any and all reasons why said findings and conclusions should be modified or dismissed and submitting any and all documents or other written evidence supporting Respondent's request for consideration and reasons therefor.

Respondent responded and seeks a modification to the POD. The response indicated that Respondent completed two classes on March 3, 2014 for twenty hours and ten hours, respectively, to satisfy the requirements of the June 1, 2012 to May 31, 2014 biennial period. However, Respondent took the same classes two months later, on May 5, 2014, and attempted to get credit for taking the classes again. Respondent cannot count the courses she repeated on May 5, 2014 toward her 2010-2102 requirements.

Based on the foregoing, the Attorney General recommended finalizing the POD without modification. Respondent failed to timely complete continuing education and misrepresented the status of her continuing education on her renewal application.

ACCORDINGLY, IT IS on this 2nd day of April, 2015,
ORDERED that:

1. Respondent's license to practice nursing is suspended until such time as Respondent provides the Board with proof of completion of thirty hours of continuing education - including a one hour course on Organ and Tissue Donation -- to cure the deficiency of the 2010-2012 biennial period. Continuing education hours taken currently and applied to cure the deficiency from the 2010-2012 biennial period shall not be used to satisfy the requirements of the current biennial period.

2. A reprimand is imposed on Respondent for falsifying the continuing education information on her license renewal application.

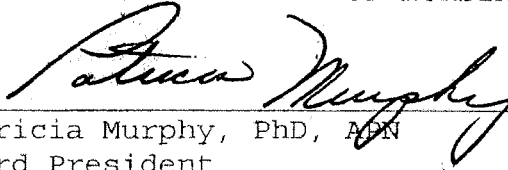
3. Respondent is assessed a civil penalty in the amount of two hundred and fifty dollars (\$250) for failing to timely complete required continuing education. Payment shall be made by certified check, bank cashier check, or money order payable to "State of New Jersey," or by wire transfer, direct deposit, or credit card payment delivered or mailed to George Hebert, Executive Director, State Board of Nursing, P.O. Box 45010, Newark, New Jersey 07101. Any other form of payment will be rejected and will be returned to the party making the payment. Payment shall be made no later than fifteen (15) days after the date of filing of this **Final Order of Discipline**. In the event

Respondent fails to make a timely payment, a certificate of debt shall be filed in accordance with N.J.S.A. 45:1-24 and the Board may bring such other proceedings as authorized by law.

4. Respondent shall refrain from practicing as a nurse and shall not represent herself as a Licensed Practical Nurse until such time as her license is reinstated. Any practice in this State prior to reinstatement shall constitute grounds for a charge of unlicensed practice.

NEW JERSEY STATE BOARD OF NURSING

By: _____


Patricia Murphy, PhD, APRN
Board President